

This listing of claims will replace all prior versions and listings of claims in the present application.

Listing of Claims

1. (Cancelled) A gutter retaining system for mounting a rain gutter to a building comprising:

a retaining member; and

a gutter clip adjacent said retaining member, wherein said gutter clip has a locking tip contiguous with a nib end, said nib end being adjacent a hanger portion, said hanger portion being contiguous with a u-portion, said u-portion being adjacent a vertical portion, said hanger portion and said vertical portion being approximately parallel with said nib end angled outwardly from said hanger portion and said locking tip being angled inwardly toward said vertical portion from said nib end, whereby said hanger portion and said locking tip fit within said gutter and said retaining member.

2. (Amended) A [The] gutter retaining system for mounting a rain gutter to a building [of Claim 1] comprising:

a retaining member comprising [wherein said retaining member comprises] a mounting lip adjacent an upper vertical portion, said upper vertical portion for placement under a metal flashing of said roof; a horizontal section adjacent said mounting lip with one end of said horizontal section forming a return; and a hooked portion positioned at the end of return; and

a gutter clip adjacent said retaining member, said gutter clip comprising a locking tip contiguous with a nib end whereby said nib end fits within said hooked portion to allow

said locking tip to secure said gutter clip and said gutter in place.

3. (Original) The gutter retaining system for mounting a rain gutter to a building of Claim 2 wherein said gutter comprises a channel formed by a front wall and a back wall.

4. (Original) The gutter retaining system for mounting a rain gutter to a building of Claim 2 wherein said upper vertical section extends vertically from said mounting lip at a junction.

5. (Original) The gutter retaining system for mounting a rain gutter to a building of Claim 4 wherein said horizontal section extends from the junction of said upper vertical section and said mounting lip.

6. (Cancelled) The gutter retaining system for mounting a rain gutter to a building of Claim 1 further comprising a base adjacent said vertical portion.

7. (Cancelled) The gutter retaining system for mounting a rain gutter to a building of Claim 6 further comprising an extension adjacent said base.

8. (Cancelled) The gutter retaining system for mounting a rain gutter to a building of Claim 7 wherein said gutter clip further comprises a back face for situation against the back wall of said gutter.

9. (Cancelled) The gutter retaining system for mounting a rain gutter to a building of Claim 8 further comprising a first elbow between said vertical portion and said base.

10. (Cancelled) The gutter retaining system for mounting a rain gutter to a building of Claim 9 further comprising a second elbow between said base and said extension.

11. (Cancelled) The gutter retaining system for mounting a rain gutter to a building of Claim 10 wherein said gutter clip further comprises a lower u-portion adjacent said extension.

12. (Cancelled) The gutter retaining system for mounting a rain gutter to a building of Claim 11 wherein said gutter clip further comprises an end adjacent said lower u-portion.

13. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 2 wherein said nib end of said gutter clip is adjacent a hanger portion.

14. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 13 wherein said hanger portion is contiguous with a u-portion of said gutter clip.

15. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 14 wherein a second end of said u-portion is contiguous with a vertical portion of said gutter clip.

16. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 15 wherein said hanger portion and said vertical portion are approximately parallel with said nib end angled outwardly from said hanger portion and said locking tip being angled inwardly toward said vertical portion from said nib end.

17. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 16 wherein said gutter clip further comprises a base adjacent said vertical portion.

18. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 17 wherein said gutter clip further comprises an extension adjacent said base.

19. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 18 wherein said gutter clip comprises a back face for situation against a back wall of said gutter.

20. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 19 wherein said gutter clip further comprises a first elbow between said vertical portion and said base.

21. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 20 wherein said gutter clip further comprises a second elbow between said base and said extension.

22. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 21 wherein said gutter clip further comprises a lower u-portion adjacent said extension.

23. (New) The gutter retaining system for mounting a rain gutter to a building of Claim 22 wherein said gutter clip further comprises an end adjacent said lower u-portion.

24. (New) A gutter retaining system for mounting a rain gutter to a building comprising: a retaining member comprising a mounting lip adjacent an upper vertical portion, said upper vertical portion for placement under a metal flashing of said roof; a horizontal section adjacent said mounting lip with one end of said horizontal section forming a return; and a hooked portion positioned at the end of return